

DIST/OFFICE	YR.	NUMBER	MO.	DAY	YEAR	J	N/S	O	R	23	\$	DEMAND	OTHER	JUDGE	NUMBER	JURY	DEM.	YR.	NUMBER
1085/4	75	0106	03	25	75	4	890	1	12						8509		d	75	0106-B

PLAINTIFFS

DEFENDANTS

OKLAHOMA STATE UNION OF THE
FARMERS' EDUCATIONAL AND CO-
OPERATIVE UNION OF AMERICA,
an Unincorporated Association

AETNA CASUALTY & SURETY COMPANY,
a foreign insurance corporation,
Thomas Franklin Booth; Stephen
Lee Apker; Terri Stagg; and
William J. Fine and Jean R. Fine,
parents and sole heirs at law of
Cynthia D. Fine, deceased.

CAUSE

Interpleader action to pay into Court proceeds of auto liability insurance
policy. T. 28, U.S.C., §1335

ATTORNEYS

Donald Church
501 Philtower Building
Tulsa, OK 74103
583-8156

William Scheurich (Fines)
Fifth Floor, Okla. Natl. Bldg.
Tulsa ; 74119

Jack B. Sellers (Thomas Booth)
300 East Lee
Sapulpa, OK 74066 224-9070

Michael J. Beard (Terri Stagg)
Parks, McKenzie & Beard
1736 South Carson
Tulsa, Oklahoma 74119
(918-587-7113)

Maurice E. Lampton(Aetna Casualty&
329 Security Bldg. Apker)
Sapulpa, Ok 74066

☐ CHECK
HERE
IF CASE WAS
FILED IN
FORMA
PAUPERIS

FILING FEES PAID

DATE	RECEIPT NUMBER	C.D. NUMBER

STATISTICAL CARDS

CARD	DATE MAILED
JS-5	04-01-75
JS-6	1-1-77

DATE	NR.	PROCEEDINGS
3-25-75	1	Complaint, filed. Summons issued.k
3-25-75	2	Order, filed, directing Clerk to issue notice to all defts. of compl. & to direct said defts. to file any claim against fund tendered into Court by pltf. w/in twenty (20) days after service. (AEB-J)k
3-25-75	3	Notices (6) to all defts. to file claims within twenty days after service, filed.k cps served w/ complaint
4-1-75		Summons, ret. & filed: served Stephen Lee Apker, Terri Stagg, Wm. J. Fine, Jean R. Fine on 3-25-75; served Aetna Casualty & Surety Co., 3-27-75; served Thomas Franklin Booth by serving atty. Jack Sellers, 3-31-75. (USM \$35.84)g
4-14-75	4.	ANSWER of defts., Wm. J. and Jean R. Fine, filed. rm (w/ claim in amt. of \$10,000.00)
4-15-75	5	DEMAND FOR JURY TRIAL, filed by deft. Booth.k
4-14-75	6	Motion to Dismiss, filed by Deft. Terri Stagg. v
4-14-75	7	Brief in support, filed. v
4-15-75	MO	ORDERED by the Court that Pltf. is granted 10 days from this date to respond to the Mot. to Dismiss filed by Deft. Terri Stagg. (AEB-J)v & counterclaim against Apker
4-14-75	8	Answer to Complaint for interpleader and declaratory relief, filed by Deft. Terri Stagg. v
4-15-75	9	Answer of Deft. Stephen Lee Apker & Cross-complaint against Pltf. & its insured, filed. b
4-15-75	10	Answer of Deft. Aetna Casualty & Surety & cross-complaint against Pltf. & its insured, filed. b
4-17-75	11.	ANS. to Cross-Complaint and Interpleader, filed. lm
4-25-75	12	Pltf's response to mot. to dismiss of deft. Terri Stagg, filed.k
4-25-75	13	Brief in support of pltf's response to mot. to dismiss of deft. Terri Stagg, filed.k
4-28-75	14	Motion to Dismiss and Answer of Defendant Thomas Franklin Booth, filed.k
4-28-75	15	Brief in support of mot. to dismiss, filed by deft. Booth. k
4-28-75	MO	It is ordered by the Court that pltf. is granted 10 days from this date to respond to deft. Booth's mot. to dismiss. (AEB-J)k cps mld
4-29-75	16	Order, filed, overruling the mot. to dismiss filed by the Deft., Terri Stagg. (AEB-J)v
4-30-75	17	Deft. Terri Stagg's DEMAND FOR JURY TRIAL, filed.k
5-8-75	18	Response of pltf. to mo/dismiss of def. Booth, filed. rm
5-8-75	19	Brief in support of pltf. response to mo/dismiss., filed.rm
5-21-75	MO	Case referred to Mag. Bradford for hrg/rec re pending mots. (AEB-J)k
9-17-75		Case called for hearing before Magistrate on Deft Thomas F. Booth to dismiss. Deft's motion denied. Pltf. to prepare order & F&R in 10 days. (MLB-Mag)b
10-3-75	20	Findings & Recommendations of Magistrate, filed. (MLB-Mag)b cps mld
10-15-75	21.	Order, filed that the Mot. to Dismiss of Deft. Thos Booth is overruled; the claims & cross-claims for money damages are stricken; Pltf.'s request for restraining order is denied; proceeds of auto

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D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	D Jue
10-15-75	21. Order, cont. policy of insurance to be distributed by Clerk; all claimants of Paul Wright are restrained from attempting to collect said claims; all claimants are to make proper appl. to Court for their share of proceeds of policy deposited; all parties to bear their own costs. (AEB-J)v -copies mld.	
10-28-75	22. Mtn. to Invest Funds at Interest, filed.jj	
11-19	23. Order, filed, directing Clerk of Court to purchase a certificate of deposit in the amount of \$25,000.00 from funds heretofore deposited to accrue interest. (AEB-J)k cps mld	
12-12	24. Defts. Wm. and Jean Fine's appl. for share of proceeds of policy, filed.k	
<u>1976</u>		
1-23	MO: Parties are directed to hold PT conf. on or before 3-5-76 & file PT Order on or before 3-12-76. (AEB-J)ph cps by cert ml	
3-1	MO: At present a pre-trial order is due in the instant litigation. Upon advice of counsel this case is hereby abated for 60 days from 3-12-76. Counsel are directed to keep the Court advised of the progress in this case and a written report is required at the end of the 60 day period so that the Court can determine if it desires to extend its order of abatement. (AEB-J)g cp mld.	
5-10	25 Progress Report to Court, filed.t	
5-17	26. Order, filed, that further proceedings be held in abeyance until further Order of the Court, and that the matter be reset at the request of the parties. (AEB-J)k cps mld	
12-2	27. Joint appli. for dismissal with prejudice, filed.lm	
12-2	28. Order, filed and entered, that jt. appli. for dismissal with prejudice is approved and this cause and complaint is dismissed with prejudice to a refiling; further ordered that the \$25,000 CD purchased by Clk. be redeemed and ret. to pltf. with all interest accruing thereto. (AEB-J) lm cps mld by atty)	

DATE

PROCEEDINGS

Date Of
Judgment